

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING
JANUARY 7, 2002
6:00 P.M.
(Proposed Map Amendment Z-01-14)**

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:00 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
 Commissioner May W. Moore, Vice Chairman
 Commissioner David R. Sandifer
 Commissioner Tom B. Rabon, Sr.
 Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
 Steve Stone, Assistant County Manager
 Huey Marshall, County Attorney
 Debby Gore, Clerk to the Board
 Margie Stephenson, Deputy Clerk
 Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 6:00 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the Proposed Map Amendment Z-01-14.

II. PUBLIC COMMENTS

Chairman Warren asked Mr. Leslie Bell, Planning Director to explain the Proposed Text Amendment Z-01-14. Mr. Bell explained the following items:

Item 1 (Z-326 - Brunswick County Economic Development)

Item 1 is a map amendment initiated by the property owner. This change from RU (Rural) to H-M (Heavy Manufacturing) will allow for heavy industrial use of the property for a portion of Tax Parcel 01700053 beginning 6480 feet north of the northwest quadrant of Daniels Road NE (SR 1453) and Cedar Hill Road (SR 1430) and continuing north on Daniels Road 500 feet. This property totals approximately 36 acres and is 3200 feet in depth.

Planning Staff recommends approval.

Planning Board recommends approval (unanimous 7 to 0).

Chairman Warren asked if anyone wished to speak on Item 1. There were no comments from the audience.

Item 2 (Z-327 - Olaf & Estelle Varnam)

Item 2 is a map amendment initiated by the property owner. This change from R-7500 (Low Density Residential) to C-LD (Commercial Low Density) will allow for commercial use of the property for Tax Parcels 2160004401 through 2160004403; 21600045; and 21600046 beginning 700 feet northwest of the northwest quadrant of Stone Chimney Road SW (SR 1115) and Stanley Road SW (SR 1119) and continuing approximately 1150 feet north on Stone Chimney Road SW, totaling approximately 24.22 acres.

Mr. Terry Simmons, representative for the applicant, addressed the Board. Mr. Simmons stated that the applicant currently operates a salvage yard, wrecker service and garage. Mr. Bell stated that the rezoning request is the first step in the process as Board of Adjustment approval is required for the salvage yard to continue operating if the Board of Commissioners approves the rezoning request.

Mr. Bell explained that the property owner's representatives are out of town and owners requested to postpone this item until the next Regular Meeting.

Planning Staff recommends approval.

Planning Board recommends approval (unanimous 7 to 0).

Chairman Warren asked if anyone wished to speak regarding Item 2. There were no comments from the audience.

Item 3 (Z-328 - Frank & Jean B. Sullivan)

A map amendment initiated by the property owner. This change from R-6000 (Medium Density Residential) to H-M (Heavy Manufacturing) will allow for heavy industrial use of the property for Tax Parcels 0280001401 and 0280001501 beginning 970 feet west of the northwest quadrant of Fletcher Road (SR 1472) and Lanvale Road NE (SR 1438) and continuing 150 feet west fronting Fletcher Road. These parcels total approximately 1.2 acres.

Planning Staff recommends denial.

Planning Board recommends denial (unanimous 7 to 0).

Chairman Warren asked if anyone wished to speak regarding Item 3. The following citizens addressed the Board.

George Potter spoke opposing the change from Medium Density Residential to Heavy Manufacturing due to excessive traffic, pollution and noise. Mr. Potter further stated the asphalt plant located across the street already contributes to traffic congestion, noise and pollution.

James White opposes the changes also stating he has lived in the area since 1947 and doesn't want the whole neighborhood to be zoned as commercial.

Emery Potter spoke in opposition to heavy manufacturing zone in the middle of a residential area.

Item 4 (Z-329 - Harry Sullivan)

Item 4 is a map amendment initiated by the property owner. This change from R-6000 (Medium Density Residential) to H-M (Heavy Manufacturing) will allow for heavy industrial use of the property for Tax Parcel 02800014 beginning 1120 feet west of the northwest quadrant of

Fletcher Road (SR 1472) and Lanvale Road NE (SR 1438) and continuing approximately 190 feet. This parcel totals 2.85 acres.

Planning Staff recommends denial.

Planning Board recommends denial (unanimous 7 to 0).

Chairman Warren asked if anyone wished to address Item 4.

George Potter, James White and Emery Potter stated they also oppose this rezoning as it is adjacent to the previous Item.

III. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Public Hearing at 6:09 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
JANUARY 7, 2002
6:30 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
Commissioner May Moore, Vice-Chairman
Commissioner David Sandifer
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Debby Gore, Clerk to the Board
Margie Stephenson, Deputy Clerk
Lithia E. Brooks, Fiscal Operations Director

I. CALL TO ORDER

Chairman Warren called the meeting to order at 6:30 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Warren asked if there were any adjustments to the agenda. The following adjustments were made:

1. Vice-Chairman Moore requested to add under the Consent Agenda as Item D, a resolution to honor Northwest and St. James Fire Departments for donating equipment to the Sloop, West Virginia Fire Department.

Commissioner Sandifer moved to approve the agenda with the adjustments included. The vote of approval was unanimous.

IV. PUBLIC COMMENTS

Chairman Warren asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. The following citizen addressed the Board:

1. Mr. Gere Dale of Carolina Shores, addressed the Board with concerns regarding the South Brunswick Water & Sewer Authority and requested the Board adopt a Resolution opposing the SBWSA rules.

V. APPROVAL OF CONSENT AGENDA

Commissioner Sue moved to approve the Consent Agenda with the adjustments included. The vote of approval was unanimous. The following items were approved:

A. Minutes

- 1) Public Hearing Minutes of December 17, 2001 (**Exhibit Book 27, Attachment 1**)
- 2) Regular Meeting Minutes of December 17, 2001 (**Exhibit Book 27, Attachment 2**)

B. Finance - FY2000-2001 (Exhibit Book 27, Attachment 3**)**

1) Sheriff's Department

\$7,500 Increase CP&L Revenues

This amendment represents the amount already received from Carolina Power & Light (CP&L) for the purchase and training of an Explosive Canine and the training of its handler. County funds are not involved.

2) Emergency Management - FEMA Buyout Program Phase II

\$71,085 Increase State Revenue – Restricted

This amendment represents the final approved amount for the FEMA Buyout Program regarding Hurricane Floyd. These funds will be used to demolish the homes and clear the land of the property purchased through this program. County funds are not involved.

3) Health Department - Family Health Personnel

\$7,000 Increase Health Escrow Funds

This amendment represents the additional amount of Highway Use Tax required to be remitted to the State for the mobile health van. Prior to October 1, 2001, a maximum of \$1,500 was due, but delivery of the van occurred after October 1, 2001. The State repealed the maximum requirement effective October 1, 2001. County funds are not involved.

4) Social Services - Title III In-Home Care

| | | |
|------------------|---------------------|---------|
| \$6,017 Increase | State Revenues | \$5,415 |
| | Regular Contingency | 602 |

The Department of Social Services has been awarded additional Title III funds for the In-Home Care program it administers. In order to receive this additional revenue, a 10% local match is required. If the Board approves this amendment, we are recommending the 10% match (\$602) be amended from Regular Contingency. County funds in the amount of \$602 are involved.

C. **Roads (Exhibit Book 27, Attachment 4)**

To consider approval of SR-1 Resolution for addition of Trade Street NE, Enterprise Drive NE and Mercantile Drive NE in the Leland Industrial Park to the State System by the DOT.

D. **Resolution (Exhibit Book 27, Attachment 19) Added under Adjustment to the Agenda**

Request approval of a resolution honoring Northwest and St. James Volunteer Fire Departments for donating equipment to the Sloop, West Virginia Fire Department.

Resolution honoring Northwest and St. James Vol. Fire Departments

Whereas, we as Americans have witnessed the best and the worst of human-kind by the acts that riveted us to television and replay stations on the 11th of September of last year, and

Whereas, in the midst of what was a national calamity, we heard and bore witness of unspeakable acts of heroism and daring the face of impossible odds, and convinced ourselves that surely we have expanded to the limits of goodness, and

Whereas, the fire department of Sloop, West Virginia, lost its fire station and nearly all of its equipment through the misguided acts of a disgruntled associate, leaving the small mountain village with no viable fire protection in the coming of another heating season in an area that relies heavily on wood stoves, and that Department is aware of the attendant risks of that locale,

Whereas, the Volunteer Firemen of Northwest and St. James, after having donated their precious efforts to learning the trade of fire fighting and prevention, and staffing the Volunteer Departments with capable bodies and minds during conflagrations in this County, and raising money to implement the same, have now seen fit to be generous beyond proportion and donate equipment and vehicles to the Sloop, West Virginia, Volunteer Fire Department, proving once again the depth of human kindness should not be overestimated.

Now therefore, the Brunswick County Commissioners are hereby resolved to honor the efforts and valiant success of the Northwest and St. James' Volunteer Fire Departments for proving to believer and skeptic alike that this Country is the "grandest on Earth."

This the 7th day of January, 2002.

s/Donald E. Warren, Chairman
Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, Clerk to the Board

VI. PRESENTATIONS

1. Swamp Watch – (Gean Seay) Exhibit Book 27, Attachment 5)

Ms. Gean Seay presented documents commenting to the Army Corps of Engineers on the Amended Public Notice that dealt with the Alternative Sites Study on the proposed Reigel Ridge Landfill in Columbus County and displayed a scroll with over 1000 signatures of citizens opposing the proposed landfill.

2. e-NC Project – (Cynthia Tart) (Exhibit Book 27, Attachment 6)

Ms. Cynthia Tart explained that the e-NC Project is an effort to connect all North Carolinians to the Internet in the 85 rural counties. Local technology will work with e-NC and steering committees in their counties to develop plans for educating local populations. This program will provide a computer for a certain area of the County, or telecenter, and citizens can learn to access the Internet, apply for jobs or how to work from home.

VII. ADMINISTRATIVE REPORT

1. Planning – Map Amendment Z-01-14 – (Marty Lawing)

Staff recommends that the Board of Commissioners consider approving second reading and adoption of Proposed Map Amendment Z-01-14.

Commissioner Sue moved to approve the Planning Board and Planning Staff recommendations; approval of Items 1 & 2 and deny Items 3 & 4. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 7)**

2. Planning – Map Amendment Z-01-15 – (Marty Lawing)

Staff recommends that the Board of Commissioners consider first reading and set a Public Hearing for February 4, 2002 at 6:00 p.m. for Map Amendment Z-01-14.

Vice-Chairman Moore moved to approve first reading of Map Amendment Z-01-15 and set a Public Hearing for February 4, 2002 at 6:00 p.m. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 8)**

3. Public Housing – FY 1999 CDBG Program – (Marty Lawing)

Staff recommends that the Board of Commissioners set a Public Hearing for FY 1999 CDBG Program change for January 22, 2002 at 6:15 pm.

Commissioner Sue moved to set a Public Hearing for January 22, 2002 at 6:15 p.m. for the CDBG Program change. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 9)**

4. Contract and Agreement – Skip Green and Associates – (Marty Lawing)

Staff recommends that the Board of Commissioners consider approving the proposal of Skip Green and Associates for grant/project administration services for the Northeast Regional Wastewater Project.

Commissioner Sue moved to approve the proposal for Skip Green and Associates for the Northeast Regional Wastewater Project. The vote of approval was unanimous.

(Exhibit Book 27, Attachment 10)

5. Engineering – Varnamtown Water Project– (*Jeff Phillips*)

Staff recommends that the Board of Commissioners consider approving a Change Order to the Contract of Carmichael Construction Company to extend waterlines in the Varnamtown/Lockwood Folly area and approve the budget amendment.

Commissioner Sandifer moved to approve the Change Order to the Carmichael Construction Contract to extend waterlines in the Varnamtown/Lockwood Folly area and approve the appropriate budget amendment. The vote of approval was unanimous.

(Exhibit Book 27, Attachment 11)

6. Health – Child Health Nurse Program Position Changes – (*Don Yousey*)

Staff recommends that the Board of Commissioners consider approving the requested position changes for the Partnership for Children Child Health Nurse Program.

Mr. Don Yousey, Health Director explained that one (1) LPN and two (2) aides will replace two (2) RN positions and will be funded by contract money.

Vice-Chairman Moore moved to approve the position changes for the Child Health Nurse Program. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 12)**

7. 211 Water Plant – Change Order No. 1 (Final) – (*Lee Smith*)

Staff recommends that the Board of Commissioners consider approving Change Order No. 1 for Highway 211 High Service Pump Station Improvements in the amount of \$3,892.00.

Commissioner Sue moved to approve Change Order No. 1 in the amount of \$3,892.00. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 13)**

8. Request for Proposals – Courthouse Technology – (*Rex Gore*)

Staff recommends that the Board of Commissioners consider approving the agreement with Dan Dillingham Consulting and Design Services for consulting services for Courthouse audio-visual technology.

Vice-Chairman Moore moved to approve the employment of Dan Dillingham Consulting and Design services for the Courthouse audio-visual technology. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 14)**

9. Request for Proposals – 911/EMS/Fire Study – (*Randy Thompson*)

Staff recommends that the Board of Commissioners consider authorizing Staff to send out a Request for Proposals to consultants to study County Volunteer Fire Departments, Emergency Medical Services, Volunteer Rescue Squads and E911 Central Communications.

Commissioner Sandifer moved to approve authorization for RFP for Volunteer Fire Departments, Emergency Medical Services, Volunteer Rescue Squads and 911 Central Communications. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 15)**

10. Emergency Management – Mutual Aid and Assistance Agreement – (*Randy Thompson*)

Staff recommends that the Board of Commissioners consider approving the revised North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement.

Commissioner Sue moved to approve the revised North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 16)**

VIII. COUNTY ATTORNEY'S REPORT

1. Deed of Dedication and Affidavit – White Sands Subdivision

The County Attorney explained that the developer is requesting water for Section 2, Lots 8-12 in the White Sands Subdivision creating a \$23,444.00 contribution to the County.

Commissioner Sandifer moved to approve the Deed of Dedication and Affidavit for White Sands Subdivision. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 17)**

2. Deed of Dedication and Affidavit – Village of Bald Head Island

The County Attorney explained that the purpose of this request is to expand the County water system to include Bald Head Island as a commercial customer adding a \$470,500.00 contribution to the County.

Commissioner Sue moved to approve the Deed of Dedication and Affidavit. The vote of approval was unanimous. **(Exhibit Book 27, Attachment 18)**

3. Closed Session 7:22 p.m.

Commissioner Sandifer moved to enter Closed Session pursuant to G.S. 143-318.11 (a) (3), pending litigation. The vote of approval was unanimous.

RECESS - Chairman Warren called a 10-minute recess.

RECONVENED - 8:22 p.m.

Chairman Warren called the Open Session back to order and announced that no action was taken in Closed Session.

IX. OTHER BUSINESS/INFORMAL DISCUSSION

There was discussion concerning a full time Registered Nurse position for the Detention Center.

Commissioner Sandifer moved to hire a full time Registered Nurse through the Health Department for the Detention Center, contingent upon approval of the Health Director with the appropriate budget amendment to be presented at the next Regular Meeting. The vote of approval was 4 ayes (Sandifer, Rabon, Sue and Warren) and 1 nay (Moore).

X. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Regular Meeting at 8:25 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board